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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY MINOR,

Defendant.

CASE NO. 1:22-CR-00177-DAD-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

CURRENT DATE: February 22, 2023
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 22, 2023.
2. By this stipulation, defendant now moves to continue the status conference until April 26, 2023, and to exclude time between February 22, 2023, and April 26, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. If defendant ultimately does not enter a guilty plea and decides to proceed to trial, the parties agree and stipulate, and request that the Court find the following:
 - a) The government asserts that discovery has been provided to counsel. The government is aware of its ongoing discovery obligations.
 - b) The government has provided a plea offer to the defendant.

1 c) Counsel for the defendant desires additional time to consult with his client, to
2 review the current charges, to conduct investigation and research related to the charges, to review
3 and/or copy discovery for this matter, to discuss potential resolutions with his client, to prepare
4 pretrial motions, and to otherwise prepare for trial.

5 d) Counsel for defendant believes that failure to grant the above-requested
6 continuance would deny them the reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence.

8 e) The government does not object to the continuance.

9 f) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of February 22, 2023 to April 26,
14 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
15 T4], because it results from a continuance granted by the Court at defendant's request on the
16 basis of the Court's finding that the ends of justice served by taking such action outweigh the
17 best interest of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

22 Dated: February 13, 2023

23 PHILLIP A. TALBERT
United States Attorney

24 /s/ JESSICA A. MASSEY
25 JESSICA A. MASSEY
Assistant United States Attorney

26
27 Dated: February 13, 2023

27 /s/ GRIFFIN ESTES
28 GRIFFIN ESTES
Counsel for Defendant

ORDER

IT IS SO ORDERED that the status conference is continued from February 22, 2023, to **April 26, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **February 14, 2023**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE